

REMARKS

Claim 1 has been amended to call for simultaneous sessions. The Preston reference never contemplates simultaneous sessions. For example, a given user may have up to sixteen simultaneous sessions in process at one time under third generation wireless systems. See the present application at page 1, lines 12-14. Each of those sessions may be receiving a different type of data having a different quality of service specification. See the specification at page 2, lines 20-22.

Since Preston fails to teach simultaneous sessions and separately assessing charges for each of those sessions, the present application patentably distinguishes over the Preston reference. On the same basis, claims 1-20 patentably distinguish over the art.

To the extent any of the rejections are based on well known art, they are hereby seasonably challenged. It is not clear that well known art is relied on since, in the citation of art, it was never asserted. However, in the course of arguments, the assertion of well known art seems to be made, although it is not clear how if at all it relates to the rejection. Therefore, it is impossible without knowing exactly what the well known art is to otherwise challenge the reference. Therefore, the Examiner is urged to cite a reference in support of any assertions of well known art to the extent they are actually being relied on. Absent a citation of such art, it will be presumed that no such art is being relied on.

Claim 21 was rejected under Section 103 as unpatentable over Preston in view of the 3rd Generation Partnership Project or Kalliokulju.

Claim 21 calls for assessing mobility management information for call origination and call termination. Mobility management is a relation between the mobile station and the Universal Terrestrial Radio Access Network that is used to set up, maintain, and release the various physical channels. See the present specification at page 5, line 22, through page 6, line 1. The claim further calls for using the mobility management information to assess the charge for a telephonic communication.

Nothing in any of the cited material in any way suggests using mobility management information for charge billing purposes. The assertion that detection of communication status using mobility management state information is well known is hereby seasonably challenged. The purpose of the mobility management information is set forth above. It has no established

purpose for charging or assessing charges. Therefore, the Examiner is respectfully requested to cite a reference in support of assertion of well know art. It is suggested that "billing charges can be assessed for a user based on mobility management information," cited pages 152 and 153 of the 3rd Generation Partnership Project specification. However, a review of this material fails to reveal anything that the Examiner could reasonably rely upon. In point of fact, nothing therein suggests that billing charges can be assessed based on mobility management information. Therefore, reconsideration is respectfully requested.

In view of these remarks, claim 21 patentably distinguishes over the art. On the same analysis, the claims dependent thereon, independent claim 24, its dependent claims and claim 27 and its dependent claims are in condition for allowance.

Respectfully submitted,

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Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]